

## **ORDINANCE NO. 2010-05**

**AN ORDINANCE,** amending prior Ordinance No. 2008-26 pertaining to the Official Zoning Map.

WHEREAS, the City of Wenatchee received three separate applications to change land use designations on its Official Zoning Map from the following applicants: City of Wenatchee, Wayne Loranger, and Tom Kriskovic.

WHEREAS, the Hearing Examiner held a public hearing on January 26, 2010 to review the proposed changes to the Official Zoning Map and take public comments on said changes; and

WHEREAS, all persons desiring to comment on the proposals were given a full and complete opportunity to be heard; and

WHEREAS, at least sixty (60) days prior to the adoption of this Ordinance the Washington State Department of Commerce was provided copies of the proposed changes for its review and comment; and

WHEREAS, at the conclusion of the open record hearing the Hearing Examiner made the following findings of fact:

### **CITY OF WENATCHEE APPLICATION**

1. An application submitted by the City of Wenatchee that proposes to extend the Pedestrian Overlay (PO) from the Orondo boat launch to the pedestrian overpass and include all properties east of Worthen Street, including the old Public Works site.
2. The applicant/owner is City of Wenatchee, 1350 McKittrick, P.O. Box 519, Wenatchee, WA 98807-0519. The owners are Riverpark Plaza, LLC, 909 Harris

Ave. #201F, Bellingham, WA 98225 and MOCO Properties, 817 Queen Street, Bellingham, WA 98226.

3. The application materials were accepted as “technically complete” by the City of Wenatchee on May 6, 2009.
4. The subject properties are located at 8 and 10 Orondo Street and a portion of 201 Worthen Street (former Public Works Building) and found within a portion of Section 3, Township 22 N, Range 20 E. Willamette Meridian. More legally defined as Assessor Parcel Numbers: 22-20-03-821-007, 22-20-03-821-026, 22-20-03-821-025, and 22-20-03-821-022.
5. The proposal contained a legislative component (amendment to Wenatchee Urban Area Comprehensive land use designation map) that was required to be completed prior to processing the zone change.
6. Resolution 2009-56 was approved by the Wenatchee City Council on September 24, 2009 approving the land use designation map change.
7. The proposal is consistent with the Wenatchee Comprehensive Plan as the City Council adopted the land use designation change to the subject properties during the 2009 Wenatchee Urban Area Comprehensive Plan update in Resolution 2009-56.
8. The subject property is located in the Residential High (RH) with the Mixed Residential Corridor overlay (MRC) zoning districts and is within the City of Wenatchee.
9. Appropriate notice of application and public hearing was sent in accordance with Wenatchee City Code, Title 10 Zoning and Title 13 Administration.
10. A SEPA Checklist has been submitted with the application materials. A DNS was issued on June 18, 2009.
11. Resource Lands and Critical Areas Ordinance has been consulted in reviewing this application and the subject properties are outside of any identified resource lands or critical areas.
12. Wenatchee Hearing Examiner is empowered by Wenatchee City Code (WCC), Title 13 Administration of Development Standards to hear zone changes.
13. Public and agency comments that were received were considered by the Hearing Examiner in rendering this Decision and forming Conditions of Approval.
14. The entire Planning Staff file was admitted into the record at the public hearing.
15. The City of Wenatchee Department of Community Development recommended approval of the requested permit (sic).

16. Public hearing after due legal notice was held on January 26, 2010. The applicant appeared and chose not to testify.
17. No members of the public testified at the hearing.
18. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

#### **WAYNE LORANGER APPLICATION**

1. An application submitted by Wayne Loranger on February 24, 2009, that proposes to change the zoning designation of the subject properties from Residential High (RH) with the Mixed Residential Corridor overlay (MRC) to North Wenatchee Business District (NWBD).
2. The applicant/owner is Wayne Loranger, 411 Castlevue Place, Wenatchee, WA 98801.
3. The application materials were accepted as "technically complete" by the City of Wenatchee on May 6, 2009.
4. The subject properties are located at 406 and 408 N. Garfield Street within lots 8 and 9 block 5 of Bolenbaugh's Addition and found within a portion of Section 3, Township 22 North, Range 20 East, Willamette Meridian. More legally defined as Assessor Parcel Numbers: 22-20-03-465-210 and 22-20-03-465-220.
5. The proposal contained a legislative component (amendment to Wenatchee Urban Area Comprehensive land use designation map) that was required to be completed prior to processing the zone change.
6. Resolution 2009-56 was approved by the Wenatchee City Council on September 24, 2009 approving the land use designation map change.
7. The proposal is consistent with the Wenatchee Comprehensive Plan as the City Council adopted the land use designation change to the subject properties during the 2009 Wenatchee Urban Area Comprehensive Plan update in Resolution 2009-56.
8. The subject property is located in the Residential High (RH) with the Mixed Residential Corridor overlay (MRC) zoning districts and is within the City of Wenatchee.
9. Appropriate notice of application and public hearing was sent in accordance with Wenatchee City Code, Title 10 Zoning and Title 13 Administration.
10. A SEPA Checklist has been submitted with the application materials. A DNS was issued on June 18, 2009.



11. Resource Lands and Critical Areas Ordinance has been consulted in reviewing this application and the subject properties are outside of any identified resource lands or critical areas.
12. Wenatchee Hearing Examiner is empowered by Wenatchee City Code (WCC), Title 13 Administration of Development Standards to hear zone changes.
13. Public and agency comments that were received were considered by the Hearing Examiner in rendering this Decision.
14. The entire Planning Staff file was admitted into the record at the public hearing.
15. The City of Wenatchee Department of Community Development recommended approval.
16. Public hearing after due legal notice was held on January 26, 2010. The applicant appeared and chose not to testify.
17. No members of the public testified at the hearing.
18. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

#### **TOM KRISKOVIC APPLICATION**

1. An application submitted by Tom Kriskovic on March 24, 2009, to change the zoning designation of the subject properties from Residential High (RH) with the Mixed Residential Corridor overlay (MRC) to North Wenatchee Business District (NWBD).
2. The applicant/owner is Tom Kriskovic, 417 Austin Avenue, Wenatchee, WA 98801. The owner is Jimmy Tabet, c/o Maria Gonzalez, 415 5<sup>th</sup> Street #4, Wenatchee, WA 98801.
3. The application materials were accepted as "Technically complete" by the City of Wenatchee on May 6, 2009.
4. The subject properties are located at 400, 406, and 411 Emerson Street and found within a portion of Section 3, Township 22 North, Range 20 East. Willamette Meridian. More legally defined as Assessor Parcel Numbers: 22-20-03-465-135, 22-20-03-465-125, and 22-20-03-465-060.
5. The proposal contained a legislative component (amendment to Wenatchee urban Area Comprehensive land use designation map) that was required to be completed prior to processing the zone change.
6. Resolution 2009-56 was approved by the Wenatchee City Council on September 24, 2009 approving the land use designation map change.

7. The proposal is consistent with the Wenatchee Comprehensive Plan as the City Council adopted the land use designation change to the subject properties during the 2009 Wenatchee Urban Area Comprehensive Plan update in Resolution 2009-56.
8. The subject property is located in the Residential High (RH) with the Mixed Residential Corridor overlay (MRC) zoning districts and is within the City of Wenatchee.
9. Appropriate notice of application and public hearing was sent in accordance with Wenatchee City Code, Title 10 Zoning and Title 13 Administration.
10. A SEPA Checklist has been submitted with the application materials. A DNS was issued on June 18, 2009.
11. Resource Lands and Critical Areas Ordinance has been consulted in reviewing this application and the subject properties are outside of any identified resource lands or critical areas.
12. Wenatchee Hearing Examiner is empowered by Wenatchee City Code (WCC), Title 13 Administration of Development Standards to hear zone changes.
13. Public and agency comments that were received were considered by the Hearing Examiner in rendering this Decision.
14. The entire Planning Staff file was admitted into the record at the public hearing.
15. The City of Wenatchee Department of Community Development recommended approval.
16. Public hearing after due legal notice was held on January 26, 2010. The applicant appeared and chose not to testify.
17. No members of the public testified at the hearing.
18. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

WHEREAS, at the conclusion of the open record hearing the Hearing Examiner made the following conclusions:

#### **CITY OF WENATCHEE APPLICATION**

1. The Hearing Examiner has been granted authority to render this Decision.
2. The proposed use is consistent with the intent, purposes, and regulations of the City of Wenatchee Municipal Code and Comprehensive Plan.

3. The application demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan and Waterfront Subarea Plan.
4. With respect to the State Environmental Policy Act, of 1971, as amended, a detailed evaluation of the environmental implication of this proposal has been done. The evaluation resulted in a declaration of environmental non-significance being entered for the project on June 18, 2009.
5. The proposal demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan and provides for the continued viability of the public facilities concurrent with increased demands.
6. The proposal does not result in cumulative adverse effects.
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

#### **WAYNE LORANGER APPLICATION**

1. The Hearing Examiner has been granted authority to render this Decision.
2. The proposed use is consistent with the intent, purposes and regulations of the City of Wenatchee Municipal Code and Comprehensive Plan.
3. The application demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan.
4. With respect to the State Environmental Policy Act, of 1971, as amended, a detailed evaluation of the environmental implication of this proposal has been done. The evaluation resulted in a declaration of environmental non-significance being entered for the project on June 18, 2009.
5. The proposal demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan and provides for the continued viability of the public facilities concurrent with increased demands.
6. The proposal does not result in cumulative adverse effects.
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

#### **TOM KRISKOVIC APPLICATION**

1. The Hearing Examiner has been granted authority to render this Decision.
2. The proposed use is consistent with the intent, purposes, and regulations of the City of Wenatchee Municipal Code and Comprehensive Plan.



3. The application demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan.
4. With respect to the State Environmental Policy Act, of 1971, as amended, a detailed evaluation of the environmental implication of this proposal has been done. The evaluation resulted in a declaration of environmental non-significance being entered for the project on June 18, 2009.
5. The proposal demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan and provides for the continued viability of the public facilities concurrent with increased demands.
6. The proposal does not result in cumulative adverse effects.
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL**  
**OF THE CITY OF WENATCHEE** as follows:

**SECTION I**

The City Council of the City of Wenatchee does hereby adopt the findings and conclusions entered by the Hearing Examiner on February 3, 2010 for the City of Wenatchee, Wayne Loranger, and the Tom Kriskovic applications.

**SECTION II**

The Official Zoning Map hereby is amended consistent with the Official Zoning Map attached hereto as Attachment "A", and by this reference incorporated herein as though fully set forth.

**SECTION III**

As required by RCW 36.70A.106(2), a complete and accurate copy of this Ordinance shall be transmitted to the State of Washington, Department of Commerce within ten (10) days of final adoption.

#### SECTION IV

If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

#### SECTION V

This Ordinance shall be in full force and effect thirty (30) days following publication of the summary hereof consisting of the title.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE** at a regular meeting thereof, this 25 day of February, 2010.

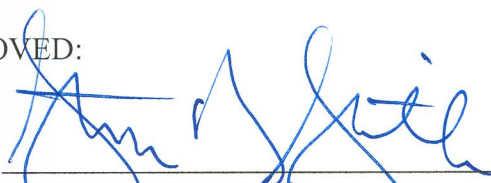
CITY OF WENATCHEE, a municipal  
Corporation

By:   
DENNIS JOHNSON, Mayor

ATTEST:

By:   
TAMMY STANGER, City Clerk

APPROVED:

By:   
STEVE D. SMITH, City Attorney



# City of Wenatchee Official Zoning Map

Effective: February 25, 2010

## Legend

- City Limits
- Districts**
  - Residential High
  - Residential Low
  - Residential Moderate
  - Residential Single Family
  - Central Business District
  - North Wenatchee Business District
  - South Wenatchee Business District
  - Neighborhood Commercial
  - Office Mixed Use
  - Residential Mixed Use
  - Waterfront Mixed Use
  - Industrial
- Overlays**
  - Columbia Street
  - Historic / Entertainment
  - Waterfront Industrial
  - Waterfront Pedestrian
  - Waterfront Recreational / Residential
  - Grandview Historic District
  - Neighborhood Commercial
  - Mixed Residential Corridor

Adopted by Ordinance 2010-05

*Dennis Johnson*  
DENNIS JOHNSON, Mayor

ATTEST:

*Tammy Stanger*  
TAMMY STANGER, City Clerk

City of Wenatchee  
Community Development

